

Re: Reply Received in EL 23-02, Sowle v. Bickel

Garrett Sowle

To: Hunzicker, Brandon L - ELECTIONS <brandon.hunzicker@wisconsin.gov>

Cc: Wolfe, Meagan - ELECTIONS <Meagan.Wolfe@wisconsin.gov>; Witecha, James - ELECTIONS <james.witecha@wisconsin.gov>

Thank you Brandon,

does my response need to be notarized? If not my response is as follows:

It's not that she couldn't extend the deadline. I also agree she should also promptly notify of non-candidacy. Notifying of non-candidacy is not the same as extending the deadline. I'm saying that that statutes clearly state that one cannot extend or announce the extension of the filing deadline until the original deadline has passed. 8.10(2)(a) states that the deadline may be extended if "the incumbent is not a candidate for reelection to his or her office, **AND** the incumbent does not file nomination papers for that office within the time prescribed in this paragraph.

This means that the incumbent must 1. declare non candidacy **AND** 2. Fail to file nomination papers by the deadline.

Therefore the deadline may not be extended until the original deadline passes and the incumbent actually fails to file nomination papers.

It is also relevant to note that in her original posting of the extension she listed an irrelevant school board election state statute.



City of Oconto, WI

1h ·

December 30, 2022 | Public Notice

Incumbents who have filed Notification of Non-Candidacy for the April 4, 2023 Spring Election Due by December 23, 2022:

- Jean Feldt - Alderperson at Large - Filed 12/28/2022

*Per Wis Stat. §§ 8.10(2)(a) and 120.06(6)(b)3, the filing deadline for Alderperson at Large is extended by 72 hours from the original deadline for all candidates except the incumbent. The new deadline is **Friday, January 6, 2023 at 5:00 pm.**

Garrett Sowle

Acknowledged before me, Diane St. Martin
by Garrett Sowle on 2/17/2023
Diane St. Martin

On Jan 31, 2023, at 1:35 PM, Hunzicker, Brandon L - ELECTIONS <brandon.hunzicker@wisconsin.gov> wrote:

Dear Mr. Sowle,

The Wisconsin Elections Commission has received the attached response from the Respondent in Sowle v. Bickel. You now have 13 days, which is a deadline of February 17, to provide a final reply. Upon receipt of all allowable filings, Commission staff will proceed to draft a decision letter in consultation with the Commission Administrator, who will in turn consult with the Commission Chair. After all Commissioners have had an opportunity to provide feedback or request a special meeting, the Commission Administrator will issue the decision letter. Please let me know if you have any questions about providing a reply to the attached response.

Sincerely,

Brandon Hunzicker
Staff Attorney
Wisconsin Elections Commission
201 West Washington Avenue
P.O. Box 7984
Madison, WI 53707-7984

